

10-10-06

Atty. Dkt. No. 047711-0334

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam H. MOLINA, et al.

Title: MULTIPLE LAYER TUBING AND  
METHOD OF MAKING SAME

Appl. No.: 10/749,468

Filing Date: 12/31/2003

Examiner: Paul B. SMITH

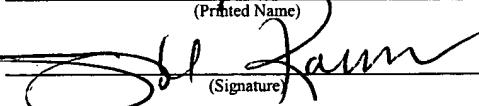
Art Unit: 3763

Confirmation No.: 3984

CERTIFICATE OF EXPRESS MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 830406871 US October 6, 2006  
(Express Mail Label Number) (Date of Deposit)

Jose Ramos  
(Printed Name)

  
(Signature)

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- [ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	42	-	42 = 0	x \$50.00 =	\$0.00
Independent Claims:	2	-	6 = 0	x \$200.00 =	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00 =		\$0.00
			CLAIMS FEE TOTAL =		\$0.00

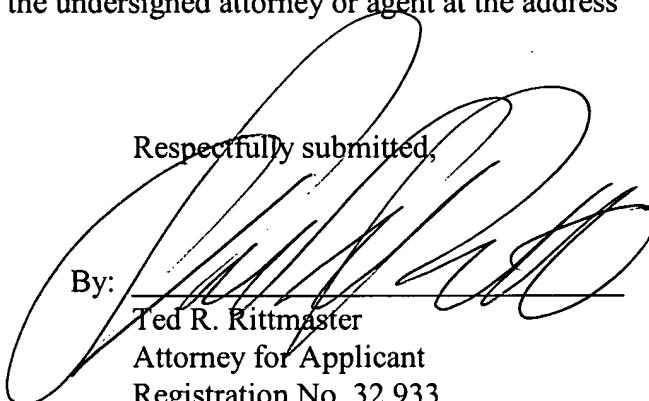
[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> [ ] Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> [ ] Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> [ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> [ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> [ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
<b>EXTENSION FEE TOTAL:</b>		<b>\$0.00</b>
<input type="checkbox"/> [ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
<b>CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:</b>		<b>\$0.00</b>
<input type="checkbox"/> [ ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
<b>Extension Fees Previously Paid:</b>		<b>\$0.00</b>
<b>TOTAL FEE:</b>		<b>\$0.00</b>

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: October 6, 2006  
 FOLEY & LARDNER LLP  
 Customer Number: 23392  
 Telephone: (310) 975-7963  
 Facsimile: (310) 557-8475

Respectfully submitted,  
  
 By: Ted R. Kittmaster  
 Attorney for Applicant  
 Registration No. 32,933

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Adam H. MOLINA, et al.

Title: MULTIPLE LAYER TUBING AND  
METHOD OF MAKING SAME

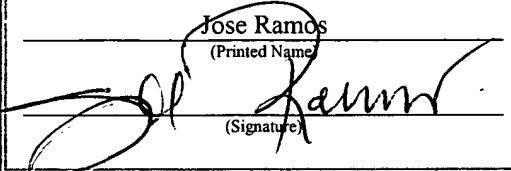
Appl. No.: 10/749,468

Filing Date: 12/31/2003

Examiner: Paul B. SMITH

Art Unit: 3763

Confirmation No.: 3984

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 830406871 US October 6, 2006	
(Express Mail Label Number)	(Date of Deposit)
	
Jose Ramos	(Printed Name)
(Signature)	

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Election/Restriction Office Action dated September 7, 2006, concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 7 of this document.

Please amend the application as follows: